

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David G. Bird
Serial No. : 08/862,039
Filed : May 22, 1997
For : LOCATION OF MISSING VEHICLES
Group : 3642
Examiner : Theodore Blum



This application is for reissue
of patent No. 5,418,537
granted May 23, 1995, on
application serial No. 07/978,272
filed November 18, 1992

DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

I, David G. Bird, declare that my residence, post office address and citizenship are as stated below next to my name; that on November 16, 1992, at the time of signing the declaration for the application which resulted in U.S. letters patent No. 5,418,537, I resided in Sunnyvale, California, and my post office address was 1251 Vicente Drive, Apt. 97, Sunnyvale, California 94086; that I believe that I am the original, first and sole inventor of the invention described and claimed in said letters

patent No. 5,418,537, entitled "Location of Missing Vehicles", issued May 23, 1995, and in the foregoing specification and for which invention I solicit a reissue patent; I hereby state that I have reviewed and understand the contents of said specification, including the claims; that I do not know and do not believe that said invention was ever known or used in the United States of America before my invention thereof or is barred under any of the provisions of Title 35, United States Code, Section 102; that the patent identified herein is partly inoperative by reason of erroneously claiming less than I had a right to claim in the patent, particularly in failing to present claims properly covering steps that can be performed and means that can be mounted entirely within a vehicle or entirely at a designated service center, and more particularly: in failing to claim

A method of disclosing the present location of a vehicle, the method comprising the steps of:

performing in-vehicle processing of signals to obtain a fix of vehicle location;

employing a paging request responder to receive a paging request; and,

in response to the paging request, employing a communications device and operable independently of the paging

request responder to transmit the fix to a designated service center,

as recited in claim 28 of said specification; and in failing to claim

A method of disclosing the present location of a vehicle, the method comprising the steps of:

employing a paging request responder to receive a paging request; and,

in response to the paging request, performing in-vehicle processing of signals to obtain a fix of vehicle location and employing a communications device separate from, and for operation independent of, the paging request responder to transmit the fix to a designated service center,

as recited in claim 29 of said specification; and in failing to claim

Apparatus for disclosing the present location of a vehicle, the apparatus comprising:

means for performing in-vehicle processing of signals to obtain a fix of vehicle location;

a paging request responder for receiving a paging request; and

a communications device separate from, and for operation

independent of, the paging request responder and responsive to the paging request for transmitting the fix to a designated service center,

as recited in claim 30 of said specification; and in failing to claim

Apparatus for disclosing the present location of a vehicle, the apparatus comprising:

a paging request responder for receiving a paging request;

means responsive to the paging request for performing in-vehicle processing of signals to obtain a fix of vehicle location; and

a communications device separate from, and for operation independent of, the paging request responder for transmitting the fix to a designated service center,

as recited in claim 31 of said specification; and in failing to claim

A method of determining the present location of a vehicle, the method comprising the steps of:

initiating a paging request for transmission to a paging request responder mounted in or on the vehicle; and

in response to the paging request, activating a

communications device separate from, and for operation independent of, the paging request responder and mounted in or on the vehicle a fix of vehicle to transmit location,
as recited in claim 32 of said specification; and in failing to claim

Apparatus for determining the present location of a vehicle, the apparatus comprising:

means for transmitting a paging request to a paging request responder mounted in or on the vehicle; and

means responsive to the paging request for activating a communications device separate from, and for operation independent of, the paging request responder and mounted in or on the vehicle a transmission of a fix of vehicle location,

as recited in claim 33 of said specification; and in failing to claim

A method according to claim 28 comprising the step of receiving the signals for in-vehicle processing from a plurality of satellites, as recited in claim 34 of said specification; and in failing to claim

A method according to claim 28 comprising the step of receiving the signals for in-vehicle processing from a plurality of GPS satellites,

as recited in claim 35 of said specification; and in failing to claim

A method according to claim 29 comprising the step of receiving the signals for in-vehicle processing from a plurality of satellites, as recited in claim 36 of said specification; and in failing to claim

A method according to claim 29 comprising the step of receiving the signals for in-vehicle processing from a plurality of GPS satellites,

as recited in claim 37 of said specification; and in failing to claim

A method according to claim 28 comprising the step of transmitting the fix using a cellular telephone,

as recited in claim 38 of said specification; and in failing to claim

A method according to claim 29 comprising the step of transmitting the fix using a cellular telephone,

as recited in claim 39 of said specification; and in failing to claim

Apparatus according to claim 30 wherein the means for performing in-vehicle processing comprises means for receiving signals from a plurality of satellites,

as recited in claim 40 of said specification; and in failing to claim

Apparatus according to claim 30 wherein the means for performing in-vehicle processing comprises means for receiving signals from a plurality of GPS satellites,

as recited in claim 41 of said specification; and in failing to claim

Apparatus according to claim 31 wherein the means for performing in-vehicle processing comprises means for receiving signals from a plurality of satellites,

as recited in claim 42 of said specification; and in failing to claim

Apparatus according to claim 31 wherein the means for performing in-vehicle processing comprises means for receiving signals from a plurality of GPS satellites,

as recited in claim 43 of said specification; and in failing to claim

Apparatus according to claim 30 wherein the means for transmitting the fix comprises a cellular telephone,

as recited in claim 44 of said specification; and in failing to claim

Apparatus according to claim 31 wherein the means for transmitting the fix comprises a cellular telephone,

as recited in claim 45 of said specification; and in failing to claim

A method according to claim 28 comprising the further step of notifying police or an owner or authorized operator of the vehicle of the present location of the vehicle,

as recited in claim 46 of said specification; and in failing to claim

A method according to claim 29 comprising the further step of notifying police or an owner or authorized operator of the vehicle of the present location of the vehicle,

as recited in claim 47 of said specification; and in failing to claim

Apparatus according to claim 30 further comprising means for notifying police or an owner or authorized operator of the vehicle of the present location of the vehicle,

as recited in claim 48 of said specification; and in failing to claim

Apparatus according to claim 31 further comprising means for notifying police or an owner or authorized operator of the vehicle of the present location of the vehicle,

as recited in claim 49 of said specification; thereby failing to protect against infringement of all embodiments of my invention; that my discovery that the patent identified herein erroneously

claimed less than I was entitled to was made during the week of May 5, 1997, when I was advised of the results of an analysis by patent counsel of the claims in said patent No. 5,418,537, of the prior art that I cited in said patent, and of the additional prior art cited by the Examiner in reaching his conclusion that claims 1-27 of the patent are allowable (on information and belief, other employees of the assignee of said patent No. 5,418,537 first began to question on or about the week of January 6, 1997, whether there was an error in said patent No. 5,418,537 and instructed outside patent counsel to study the matter, leading to the analysis of which the results were communicated to me the week of May 5, 1997); that the error in claiming the invention arose during preparation of the application which eventuated in said patent No. 5,418,537, because of a concentration on the invention covered by allowed claims 1-27 as opposed to new claims 28-49 and that all errors which are being corrected in the reissue application up to the time of filing of the declaration arose without any deceptive intention on the part of the applicant; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of the application in accordance with title 37, Code of Federal Regulations, Section 1.56(a); and that the earliest application for patent or inventor's certificate on this invention filed by me or known to me to have been filed by my representatives

or assigns in any country foreign to the United States before the filing date of the application resulting in said patent No. 5,418,537 is as follows: NONE.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any reissue patent issued thereon.

Inventor's signature: _____
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Citizenship: United States Date of Signature: _____

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